

CHAPTER 51  
FORMERLY  
HOUSE BILL NO. 47

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DELAWARE DEPARTMENT OF CORRECTION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 2109(a), Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

(a) If the accused does not provide the personal recognizance, secured or unsecured bond or if the person does not agree to meet the conditions for release, the person shall be held in the custody of the ~~State Board~~ Department of Correction until the person cures such failure or until the court otherwise orders.

Section 2. Amend § 4363, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

Whenever the Board of Pardons receives an application for recommendation of pardon or commutation of sentence from a person who is in legal custody of the Department of ~~Health and Social Services~~ Correction, the Board shall request from the Board of Parole a report summarizing the complete record of such person, which shall include an opinion as to the state of rehabilitation of such person. The report shall be furnished by the Parole Board as provided in § 4343(8) of this title.

Section 3. Amend § 5305(b), Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

(b) In default of bail, the person accused shall be committed to the custody of the Department of ~~Health and Social Services~~ Correction to await the session of the Court.

Approved June 25, 2015